

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
PEDRO DOMINGUEZ,

Plaintiff,

- against -

ORDER ADOPTING REPORT  
AND RECOMMENDATION  
13-CV-7247(RRM) (CLP)

B S SUPERMARKET, INC, ET AL.,

Defendants.

-----X  
ROSLYNN R. MAUSKOPF, United States District Judge.

By Motion filed May 9, 2016, defendants moved to vacate the default judgment entered on March 30, 2015 in favor of plaintiff Pedro Dominguez as against defendants BS Supermarket Inc. and Eddy L. Fernandez, jointly and severally (Doc. No. 29). By Order entered May 24, 2016, this Court referred that motion to the assigned Magistrate Judge, the Honorable Cheryl L. Pollak, for a Report and Recommendation. On December 1, 2016, Judge Pollak issued a Report and Recommendation (the "R&R") recommending that defendants' motion be granted, and reminded the parties that, pursuant to Rule 72(b), any objection to the R&R was due by December 15, 2016. No party has filed an objection.

Pursuant to 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72, the Court has reviewed the R&R for clear error and, finding none, concurs with the R&R in its entirety. *See Covey v. Simonton*, 481 F. Supp. 2d 224, 226 (E.D.N.Y. 2007).

Accordingly, it is hereby ORDERED that the Clerk's entry of default as against defendants B S Supermarket, Inc. and Eddy L. Fernandez is VACATED, and the matter is

recommitted to Magistrate Judge Pollak for supervision of all pre-trial matters.

SO ORDERED.

Dated: Brooklyn, New York  
January 4, 2017

*Roslynn R. Mauskopf*

---

ROSLYNN R. MAUSKOPF  
United States District Judge